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July 28, 2023

Via ECF; Total Pages: 2

Hon. Valerie E. Caproni, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square New York
New York, NY 10007

Re: Mabry v. LAML, LLC d/b/a John Sullivan's Bar & Grill et al.
Docket No.: 1:23-cv-05468-VEC

Dear Judge Caproni:

This office represents defendants LAML, LLC, 240 BBJ Pub Inc., 505 HP LLC, Brendan Creegan, and John Creegan (hereinafter collectively "Defendants") in the above referenced matter. We are in receipt of Plaintiff's discovery letter motion filed on July 26, 2023 (Doc 20) seeking an order from the court instructing Defendants to produce a class wide sample of payroll information. Please accept the following in response.

Plaintiff has failed to comply with paragraph 3(B) of Your Honor's Individual Rules, which requires that parties must first meet and confer in good faith, in person or by telephone, in an effort to resolve any discovery dispute. No specific meet and confer phone call has taken place in regard to this issue (only a brief exchange of emails). As such, Defendants respectfully object to Plaintiff's premature discovery letter to the court (Doc 20).

To ensure compliance with Your Honor's rules, Defendants seek time to meet and confer with Plaintiff's counsel to seek to resolve this discovery dispute, or at the very least, narrow the issues. In the case that the parties are unable to resolve this discovery dispute, we shall then jointly bring this matter to the court's attention by submitting a joint letter, upon completion of the meet and confer process.

Thank you for your attention and consideration in addressing this matter.

Respectfully submitted,

Michael K. Chong

Michael K. Chong, Esq.

MKC/nh
cc: Plaintiff's counsel (*via ECF*)